

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
NO. 5:09-CR-216-FL-8**

UNITED STATES OF AMERICA

v.

**ZIYAD YAGHI,
Defendant.**

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**NOTICE OF COMPLIANCE
RE: TRANSCRIPTS**

Defendant Ziyad Yaghi, through counsel, hereby gives notice to the Court of his compliance with the Court's deadline for providing objections to the Government to the Government's proposed changes to the "existing transcripts" (as defined in DE #287), and with the Court's deadline for designating additional portions of the "existing transcripts" beyond that designated by the Government, and with the Court's deadline for providing proposed transcripts for said designations.

By submitting only certain specific objections to the Government's proposed transcripts as required by this Court's Order of July 14, 2010 (DE #479), defendant Ziyad Yaghi does not concede or stipulate that the Government's proposed transcripts are completely accurate or that a proper foundation has been or can be laid for their introduction into evidence, or that the transcripts are admissible at trial. Also, by submitting only certain specific objections to some of the transcripts, the defendant Ziyad Yaghi is not stipulating that the transcripts are the "best evidence" (Fed. R. Evid. 1002) of the underlying recordings, or that the jury should be allowed to review transcripts in the jury room during jury deliberations. By complying with the Court's Order, defendant does not waive any objection or motion he may have under Rule 106, Fed. R. Evid., at trial.

Defendant Ziyad Yaghi respectfully reserves the right to file further objections to the incompleteness of the proffered audiotapes and transcripts, especially where there are significant lapses of audible or discernible voices.

Respectfully submitted this the 28th day of March, 2011.

/s/James M. Ayers II

Attorney for Defendant Ziyad Yaghi
Ayers & Haidt, P.A.

307 Metcalf Street

Post Office Box 1544

New Bern, North Carolina 28563

Telephone: (252) 638-2955

Facsimile: (252) 638-3293

jimayers2@embargmail.com

State Bar No. 18085

Criminal – Appointed

CERTIFICATE OF SERVICE

This is to certify that the undersigned has personally served a copy of the forgoing Notice of Compliance re: Transcripts, according to the applicable Civil Procedure Rules of this Court, to wit:

 X CM/ECF (U.S. District Courts; U.S. Courts of Appeal)

Date March 28, 2011

/s/James M. Ayers II
Attorney for Defendant Ziyad Yaghi
Ayers & Haidt, P.A.
307 Metcalf Street
Post Office Box 1544
New Bern, North Carolina 28563
Telephone: (252) 638-2955
Facsimile: (252) 638-3293
jimayers2@embarqmail.com
State Bar No. 18085
Criminal - Appointed

TO: John Bowler
U.S. Attorney's Office
310 New Bern Ave.
Suite 800
Raleigh, NC 27601-1461
john.s.bowler@usdoj.gov

Jason Harris Cowley
U.S. Attorney's Office
310 New Bern Avenue
Suite 800
Raleigh, NC 27601-27601
jason.cowley@usdoj.gov

R. Daniel Boyce
Boyce & Isley, PLLC
P.O. Box 1990
Raleigh, NC 27602-1990
dboyce@boyceisley.com

Rosemary Godwin
Federal Public Defender
150 Fayetteville St. Mall
Suite 450
Raleigh, NC 27601-2919
rosemary_godwin@fd.org

Debra C. Graves
Federal Public Defender
150 Fayetteville St. Mall
Suite 450
Raleigh, NC 27601-8005
debra_graves@fd.org

Myron T. Hill, Jr.
Browning & Hill
200 E. Fourth Street
Greenville, NC 27835
mhill@browning-hill.com

Jason M. Kellhofer
US Department of Justice
950 Pennsylvania Avenue NW
Room 2720
Washington, DC 20530
jason.kellhofer@usdoj.gov

Barbara D. Kocher
U.S. Attorney's Office
310 New Bern Aveue
Suite 800
Raleigh, NC 27601
barb.kocher@usdoj.gov

Robert J. McAfee
McAfee Law, P.A.
P.O. Box 905
New Bern, NC 28563
rjm@mcafee-law.com

Paul K. Sun, Jr.
Ellis & Winters
PO Box 33550
Raleigh, NC 27636-3550
Paul.Sun@elliswinters.com

Joseph E. Zeszotarski, Jr
Poyner & Spruill
P.O. Box 10096
Raleigh, NC 27605
jzeszotarski@poynerspruill.com